



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: April 04, 2016.

**TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:	§	
	§	BANKRUPTCY NO. 16-10020-TMD
FPMC AUSTIN REALTY	§	
PARTNERS, LP,	§	CHAPTER 11 PROCEEDING
	§	
DEBTOR	§	

**ORDER GRANTING DEBTOR'S APPLICATION FOR ORDER PURSUANT TO
BANKRUPTCY CODE SECTIONS 327(a) AND 328 AUTHORIZING EMPLOYMENT
AND RETENTION OF CBRE, INC. AND KOA PARTNERS, LLC AS CO-REAL
ESTATE BROKERS FOR THE DEBTOR**

Come on for consideration the application of the Debtor for entry of an order (this "Order")
authorizing the employment and retention of CBRE, Inc. and KOA Partners, LLC (respectively

“CBRE” and “KOA” and collectively the “Brokers”) as Co-Real Estate Brokers for the Debtor (the “Application”). The Court having reviewed the Application, finds that (i) it has jurisdiction over the matters raised in the Application pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Application is in the best interests of the Debtors, their estates and their creditors and relief under Rule 6003 of the Federal Rules of Bankruptcy Procedure approving employment of the Brokers as of the Petition Date is necessary to avoid immediate and irreparable harm; (iv) that CBRE and KOA are “disinterested persons” as that term is defined under Bankruptcy Code section 101(14) as modified by Bankruptcy Code section 1107(b); (v) proper and adequate notice of the Application has been given and no other or further notice is necessary; (vi) all objections to the Application have been resolved by this Order or are overruled in their entirety; and (vii) upon the record herein after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein; it is hereby,

ORDERED, ADJUDGED AND DECREED THAT:

1. The Application is GRANTED as set forth herein.
2. Pursuant to sections 327(a) and 328 of the Bankruptcy Code, the Debtor, as debtor and debtor in possession, is authorized to employ and retain CBRE and KOA as real estate co-brokers, effective as of the date the Application was filed, upon (i) the terms of the Exclusive Sale Listing Agreement including the commission fee arrangement detailed therein which is hereby approved, (ii) the Application, (iii) the Senese Declaration, (iv) the Lake Declaration; and (v) this Order, to perform the services described therein.
3. Given that the percentage-based fee structure and that CBRE and KOA do not earn their

commission until the sale is approved by this Court and title passes to a buyer, CBRE and KOA are excused from filing time records and interim fee applications in accordance with United States Trustee Guidelines; provided that CBRE and KOA shall file a final fee application; and it is further

4. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

###

SUBMITTED FOR ENTRY BY:

LAW OFFICES OF RAY BATTAGLIA, PLLC
Raymond W. Battaglia
66 Granburg Circle
San Antonio, Texas 78218
Email: rbattagliaw@outlook.com
Telephone: 210 601-9405